

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael Avrin

Case Number: 0980 2:17CR00093-RMP-1

Address of Offender: [REDACTED], Spokane, Washington [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Donald W. Molloy, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: October 5, 2006

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 135 months Type of Supervision: Supervised Release
TSR - 60 months

Asst. U.S. Attorney: U.S. Attorney's Office Date Supervision Commenced: November 17, 2014

Defense Attorney: Federal Defender's Office Date Supervision Expires: November 16, 2019

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition # 2: The defendant shall participate in substance abuse testing, to include not more than 106 urinalysis tests and not more than 106 Breathalyzer tests annually during the period of supervision. The defendant is to pay all or part of the costs of testing as determined by the United States Probation Officer.

Supporting Evidence: On November 17, 2014, Mr. Avrin was given a copy of his judgment and his conditions of supervision were explained to him. He was directed to follow all conditions of supervision.

On July 24, 2017, Mr. Avrin called the undersigned officer to say he had used methamphetamine and marijuana on July 21, 2017. He also reported he had police contact that day due to yelling at another individual who he saw with his ex-girlfriend.

Mr. Avrin was directed to report to the undersigned officer on July 25, 2017. Mr. Avrin reported as directed and signed a drug use admission form stating he used methamphetamine and marijuana on July 21, 2017.

Re: Avrin, Michael

August 7, 2017

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Special Condition #2: The defendant shall participate in substance abuse testing, to include not more than 106 urinalysis tests and not more than 106 Breathalyzer tests annually during the period of supervision. The defendant is to pay all or part of the costs of testing as determined by the United States Probation Officer.

Supporting Evidence: Due to Mr. Avrin's continued illegal drug use, he was directed to report to Alcohol Drug Education Prevention and Treatment (ADEPT) in order to supply random urine samples and commence drug and alcohol treatment. On February 22, 2017, Mr. Avrin was directed to call ADEPT daily and to listen for the color "Brown 1." When the color "Brown 1" was called, he was directed to report to the ADEPT office between 7 a.m. and 7 p.m. to supply a urine sample that day.

On August 2, 2017, the color "Brown 1" was called and Mr. Avrin reported as directed. When he supplied his urine sample, it tested presumptive positive for methamphetamine. The sample has been sent to Alere Laboratory for confirmation. The results are pending.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 7, 2017

s/Joshua D. Schull

Joshua D. Schull

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

8/7/2017

Date